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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13 REBECCA TAYLOR and C.T. a minor, by
14 REBECCA TAYLOR, C.T.'S parent and
guardian, on behalf of themselves and all
15 others similarly situated,

16 Plaintiffs,

17 v.

18 APPLE INC.,

19 Defendant.

Case No. 3:20-CV-03906-RS

**STIPULATION AND ORDER TO AMEND
(1) BRIEFING SCHEDULE ON
DEFENDANT APPLE INC.'S MOTION TO
DISMISS, (2) INITIAL CASE
MANAGEMENT CONFERENCE
AS MODIFIED BY THE COURT
CLASS ACTION**

District Judge Richard Seeborg
Courtroom 3, 17th Floor

Complaint Filed: June 17, 2020
Trial Date: Not Set

JURY TRIAL DEMANDED

STIPULATION

Pursuant to Local Rules 6-1 and 6-2, Plaintiffs Rebecca Taylor and C.T., a minor, by Rebecca Taylor C.T.'s parent and guardian, on behalf of themselves and all others similarly situated ("Plaintiffs") and Defendant Apple Inc. ("Defendant") enter into this stipulation and agreement, subject to the Court's approval, to amend the briefing schedule on Defendant's motion to dismiss (ECF No. 17) and reset the date for the Initial Case Management Conference. Pursuant to Local Rule 6-2(a), the declaration of Andrew J. Brown is concurrently submitted in support of this request.

1. WHEREAS, Plaintiffs filed their Complaint on June 17, 2020;

2. WHEREAS, on June 23, 2020 the parties stipulated to an extension of time for Defendant to file its response to the Complaint (ECF No. 12);

3. WHEREAS, on July 16, 2020 the Court set an Initial Case Management Conference for **September 24, 2020 at 10:00am** (ECF No. 14);

4. WHEREAS, Defendant filed its Motion to Dismiss Under Federal Rule of Civil Procedure 12(B)(6) on August 24, 2020 (ECF No. 24);

5. WHEREAS, Defendant's Motion to Dismiss is currently set for hearing on **October 1, 2020, at 1:30pm**;

6. WHEREAS, Plaintiffs' Opposition is currently due on **September 8, 2020**;

7. WHEREAS, Defendant's Reply brief, if any, is currently due on **September 14, 2020**;

8. WHEREAS, the Parties believe there is good cause for amending the briefing schedule as to Defendant's Motion to Dismiss to provide the parties sufficient time to fully brief the complex issues raised by Defendant's motion;

9. WHEREAS the parties also believe good cause exists to continue the Initial Case Management Conference because this will allow the parties to focus their efforts on the issues raised by Defendant's Motion to Dismiss. Continuing the Initial Case Management Conference will thus allow for significant efficiencies for the Court and the parties, which will be enhanced by scheduling the hearing on Defendants' Motion to Dismiss for the same day as the Case Management Conference.

WHEREAS, there have been no prior continuances of the Initial Case Management Conference.

ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED, subject to the approval of the Court, that:

1. The deadline for Plaintiffs to file their Opposition to Defendant's Motion to Dismiss is continued to **October 8, 2020**;
2. Defendant's reply brief, if any, shall be due on **November 9, 2020**; and
3. Defendant's Motion to Dismiss shall be heard, and the Initial Case Management Conference shall be held, on the same date and at a date and time to be set at the convenience of the Court.
4. The original schedule and proposed continued dates are listed below for the Court's convenience:

Event	Original Date	
Opposition to Motion to Dismiss	September 8, 2020	October 8, 2020
Reply	September 14, 2020	November 9, 2020
Hearing on Motion to Dismiss	October 1, 2020	12/3/2020 at 1:30 p.m.
Initial Case Management Conference	September 24, 2020	1/7/2021 at 10:00 a.m.

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1 **NOW, THEREFORE**, this Agreement is entered into by and among the Parties, by and
2 through their respective counsel and representatives.

3
4 Dated: August 27, 2020

Respectfully submitted,

LAW OFFICES OF ANDREW J. BROWN

By: s/ Andrew Brown

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ECF CERTIFICATION

The filing attorney attests that he has obtained concurrence regarding the filing of this document from the signatories to this document.

Dated: August 27, 2020

THE LAW OFFICES OF ANDREW J. BROWN

By: s/ Andrew J. Brown
ANDREW J. BROWN

ORDER

Having reviewed the above Joint Stipulation to Amend Briefing Schedule on Defendant's Motion to Dismiss and (Proposed) Order, IT IS HEREBY ORDERED that the Court finds that good cause exists for the entry of this Order. The schedule relating to Defendant's Motion to Dismiss is hereby reset as follows:

1. The deadline for Plaintiffs to file their Opposition to Defendant's Motion to Dismiss is continued to October 8, 2020;


2. Defendant's reply brief, if any, shall be due on November 9, 2020; and

3. The hearing on Defendant's Motion to Dismiss shall be reset to December 3, 2020, at 1:30 pm.

4. The initial Case Management Conference shall be reset to take place ~~the same day,~~ at 1/7/2021, at 10:00 am.

IT IS SO ORDERED.

DATED: 8/28/2020


THE HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT JUDGE